

RIC 2001 Significance Determination and Enforcement Issues – Session W8

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Significance Determination & Enforcement Overview

Power Reactor Findings Affecting Cornerstones

- -Initiating Events
- -Mitigating Systems
- -Barrier Integrity
- -Emergency Preparedness
- -Public Radiation Safety
- -Occupational Radiation Safety
- -Physical Protection

Other Power Reactor Findings Including

- -Those with actual consequences
- -Those impacting the regulatory process
- -Willful violation
- -Findings that currently cannot be assessed by SDP, i.e., no color

All Other Licensees - Non Power Reactors, Materials, Fuel Facilities

Vendors and Individuals



Significance Assessed by **Significance Determination Process**

- Green
- White
- Yellow
- Red

Escalated enforcement placed on NRC's website



Violations* Dispositioned

- -Green NCV
- -White
- **NOV** * Requiring -Yellow Response
- -Red
- -Normally No Civil Penalties
- -No Severity Level Assigned
- * If applicable

Significance Assessed via NRC's **Enforcement Policy & Supplements** Based On:

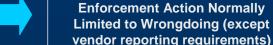
- -Actual Consequences
- -Potential Consequences
- -Impacting the Regulatory Process
- -Willful Aspects

Escalated enforcement placed on NRC's website



Violations Assigned Severity Levels & Subject to Civil Penalties

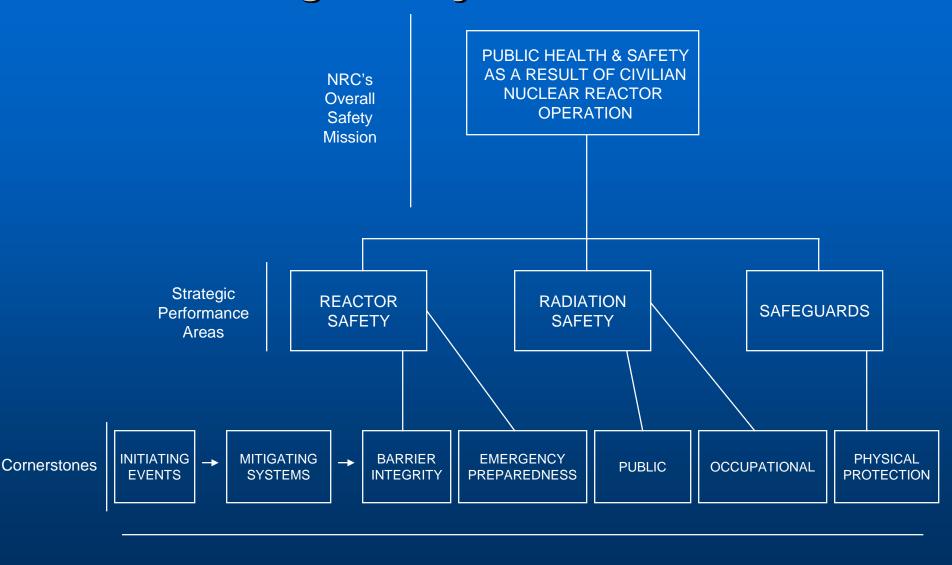
- -Severity Levels I IV
- -SL I Most Significant
- -SL IV Least Significant
- -SL IV Normally Dispositioned as NCVs





Violations Assigned Severity Levels Normally - No Civil Penalties Orders Also Used

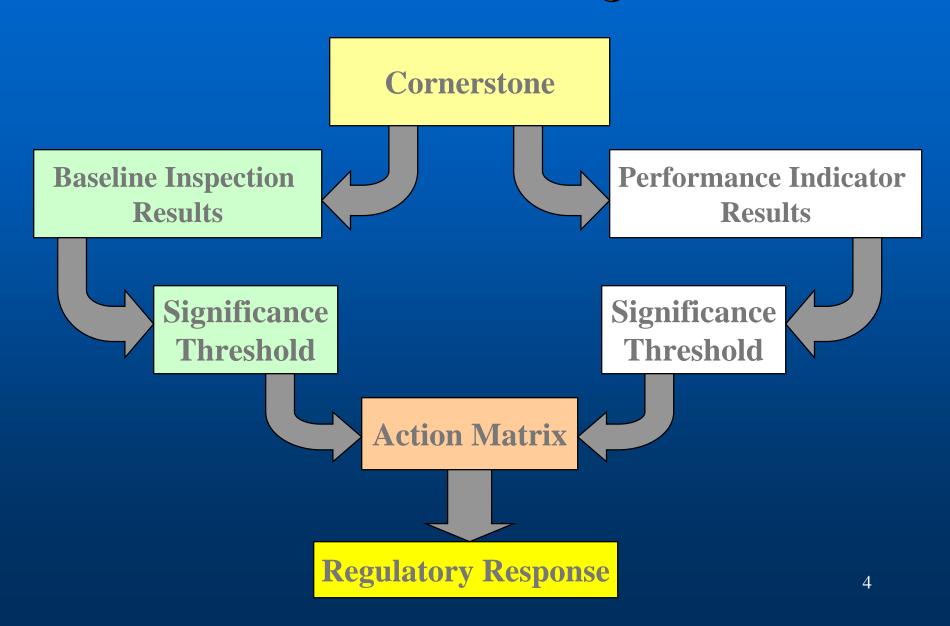
Regulatory Framework



- HUMAN ------PERFORMANCE SAFETY CONSCIOUS WORK ENVIRONMENT

---- PROBLEM ----IDENTIFICATION & RESOLUTION

Revised Reactor Oversight Process



Current Significance Determination Process Issues

- Timeliness
- Appropriateness of assigning significance color to those issues dispositioned outside SDP
- How non-SDP findings should be incorporated into assessment process
- Public availability of inputs to risk analyses
- Physical security significance determination process
- Occupational exposure significance determination process

Summary of Changes from Reactor Oversight Process/Enforcement Policy Changes

- SDPs used to evaluate significance
 - Prompts greater NRC oversight where needed
- Type of enforcement action generally driven by SDP outcome
 - Non-cited violations for Green findings
 - Cited violations with no civil penalty* for White/Yellow/Red
- Action matrix determines NRC response

*Note: Commission reserves discretion for particularly significant violations to assess civil penalties

Violations Not Covered by SDP

- Severity levels assigned and civil penalties may be used
- Violations involving willfulness and discrimination
- Violations which impact ability for oversight (50.9, 50.72, 50.73)
- Actual consequences -- exposures, releases, reporting during EP and transportation events